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**ON DECISIONS
AND PETITIONS**

In re Application of
Robert G. Pergolizzi et al. :
Application No. 08/479,995 : DECISION GRANTING
Filed: June 7, 1995 : PETITION
Attorney Docket No. ENZ-11(D1)(C2) :

This is a decision on the petition filed September 1, 1995, requesting that the above-identified application be accorded a filing date of June 7, 1995. Receipt is also acknowledged of the request for expedited consideration of the petition filed on December 5, 1995.

The application was deposited on June 7, 1995, as a continuation application under 37 CFR 1.60. However, on August 15, 1995, Application Processing Division mailed a notice requiring a copy of Figure 2 as filed in the prior application and stating that the filing date would be the date of receipt of the omitted drawing.

In response, on September 1, 1995, a copy of Figure 2 and the present petition were filed. Petitioners request that the delay in supplying the copy of Figure 2 be excused.

On petition under 37 CFR 1.60(b), the delay will be excused. The petition is granted.

The application is being returned to Application Processing Division for further processing under 37 CFR 1.60 with a filing

date of June 7, 1995, using the copy of Figure 2 supplied on September 1, 1995.

A handwritten signature in cursive script, appearing to read "John F. Gonzales".

John F. Gonzales
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JFG